



Prosper is a place where everyone matters.

AGENDA
Meeting of the Prosper Town Council
Prosper Municipal Chambers
108 W. Broadway, Prosper, Texas
Tuesday, February 14, 2017
6:00 p.m.

1. Call to Order/Roll Call.
2. Invocation, Pledge of Allegiance and Pledge to the Texas Flag.
3. Announcements of recent and upcoming events.
4. **CONSENT AGENDA:**

(Items placed on the Consent Agenda are considered routine in nature and non-controversial. The Consent Agenda can be acted upon in one motion. Items may be removed from the Consent Agenda by the request of Council Members or staff.)

- 4a. Consider and act upon minutes from the following Town Council meeting. **(RB)**
 - Regular Meeting – January 24, 2017
 - Special Meeting – Strategic Planning Work Session, January 25, 2017
 - Special Meeting – February 6, 2017
- 4b. Consider and act upon an ordinance ordering a General Election to be held on May 6, 2017, and authorizing the Town Manager to execute contracts with the Collin County Election Administration, the Denton County Election Administration, the Prosper Independent School District, and the Collin College District for joint election services. **(RB)**
- 4c. Consider and act upon an ordinance ordering a Special Election on proposed amendments to the Home Rule Charter of the Town of Prosper, Texas, to be held on May 6, 2017. **(RB)**
- 4d. Receive the December 2016 Financial Report. **(KN)**
- 4e. Receive the Quarterly Investment Report. **(KN)**
- 4f. Consider and act upon accepting the 2016 Racial Profiling Report as required by state law. **(DK)**
- 4g. Consider and act upon approving the purchase of third-party building permit plan review and inspection services, and fire-related services, through an existing Professional Services Agreement with Bureau Veritas North America, Inc.; approving an amendment to the Professional Services Agreement; and authorizing the Town Manager to execute same. **(JW)**

- 4h. Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the Town Council to the Development Services Department, pursuant to Chapter 4, Section 1.5(C)(7) and 1.6(B)(7) of the Town's Zoning Ordinance, regarding action taken by the Planning & Zoning Commission on any Site Plan or Preliminary Site Plan. **(AG)**

5. **CITIZEN COMMENTS:**

The public is invited to address the Council on any topic. However, the Council is unable to discuss or take action on any topic not listed on this agenda. Please complete a "Public Meeting Appearance Card" and present it to the Town Secretary prior to the meeting.

REGULAR AGENDA:

If you wish to address the Council during the regular agenda portion of the meeting, please fill out a "Public Meeting Appearance Card" and present it to the Town Secretary prior to the meeting. Citizens wishing to address the Council for items listed as public hearings will be recognized by the Mayor. Those wishing to speak on a non-public hearing related item will be recognized on a case-by-case basis, at the discretion of the Mayor and Town Council.

PUBLIC HEARINGS:

6. Conduct a Public Hearing, and consider and act upon a request to rezone 14.1± acres, from Planned Development-43 (PD-43) to Planned Development-Commercial (PD-C), on the north side of US 380, 700± feet west of Mahard Parkway to facilitate the development of an automobile sales and/or leasing facility (Ford). (Z16-0025). **(AG)**
7. Conduct a Public Hearing, and consider and act upon an ordinance amending Special Purpose Sign District-4 (SPSD-4), to allow for increased wall signage height on the Gates of Prosper, Block A, Lot 7 (Texas Roadhouse), located on the east side of Preston Road, 700± feet north of US 380. (MD17-0001). **(AG)**
8. Conduct a Public Hearing, and consider and act upon a request for a Variance to the Sign Ordinance, to allow for increased wall signage height, for Longo Toyota, located on the northwest corner of US 380 and Mahard Parkway. (V17-0001). **(AG)**
9. Conduct a Public Hearing to receive public comments concerning the amendment of the land use assumptions and capital improvements plan, and the imposition of an impact fee for water, wastewater, and roadway utilities. (MD16-0012) **(HW)**

DEPARTMENT ITEMS:

10. Consider and act upon an ordinance amending Appendix A, "Fee Schedule," to the Town's Code of Ordinances by repealing existing Section I, "Construction Permits and Fees," and replacing it with a new Section I, "Construction Permits and Fees." **(JW)**
11. Discussion on proposed multipurpose fields striping for the Frontier Park North Field Improvements project. **(DR)**

12. EXECUTIVE SESSION:

Recess into Closed Session in compliance with Section 551.001 et seq. Texas Government Code, as authorized by the Texas Open Meetings Act, to deliberate regarding:

- 12a.** *Section 551.087 – To discuss and consider economic development incentives.*
 - 12b.** *Section 551.072 – To discuss and consider purchase, exchange, lease or value of real property for municipal purposes and all matters incident and related thereto.*
 - 12c.** *Section 551.071 – Consultation with the Town Attorney regarding possible litigation regarding bond issues, and all matters incident and related thereto.*
 - 12d.** *Section 551.071 – Consultation with the Town Attorney regarding legal issues associated with new Section 251.725 of the Texas Alcoholic Beverage Code and impact on land development.*
 - 12e.** *Section 551.074 – To discuss and review the Town Manager’s performance evaluation.*
- 13.** Reconvene in Regular Session and take any action necessary as a result of the Closed Session.
- 14.** Consider and act upon an ordinance amending the FY 2016-2017 budget. **(KN)**
- 15.** Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.
- 16.** Adjourn.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at Prosper Town Hall, located at 121 W. Broadway Street, Prosper, Texas 75078, a place convenient and readily accessible to the general public at all times, and said Notice was posted by 6:30 p.m., on February 10, 2017, and remained so posted at least 72 hours before said meeting was convened.

Robyn Battle, Town Secretary

Date Notice Removed

Pursuant to Section 551.071 of the Texas Government Code, the Town Council reserves the right to consult in closed session with its attorney and to receive legal advice regarding any item listed on this agenda.

NOTICE

Pursuant to Town of Prosper Ordinance No. 13-63, all speakers other than Town of Prosper staff are limited to three (3) minutes per person, per item, which may be extended for an additional two (2) minutes with approval of a majority vote of the Town Council.

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS: The Prosper Town Council meetings are wheelchair accessible. For special services or assistance, please contact the Town Secretary’s Office at (972) 569-1011 at least 48 hours prior to the meeting time.